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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NATIONSTAR MORTGAGE LLC,

Plaintiff,

vs.

GIAVANNA HOMEOWNERS
 ASSOCIATION; SFR INVESTMENTS POOL
 1, LLC; DOE INDIVIDUALS I-X, inclusive,
 and ROE CORPORATIONS I-X, inclusive

Defendants.

Case No. 2:15-cv-01992-LDG-CWH

**SFR INVESTMENTS POOL 1, LLC'S
 DEMAND FOR SECURITY OF COSTS
 PURSUANT TO NRS 18.130(1)**

SFR INVESTMENTS POOL 1, LLC ("SFR") hereby demands that plaintiff NATIONSTAR, ("Nationstar" or "Bank"), an out-of-state resident, post a cost bond pursuant to NRS 18.130(1).

In Nevada, if a plaintiff resides outside of Nevada or is a foreign corporation, like the Bank, "security for the costs and charges which may be awarded against such plaintiff may be required by defendant, by the filing and service on plaintiff of a written demand within the time limited for answering the complaint." NRS 18.130(1). When a defendant demands a cost bond, "all proceedings in the action shall be stayed" until plaintiff files "an undertaking, executed by two or more persons, to the effect that they will pay such costs and charges as may be awarded against the plaintiff by judgment, or in the progress of the action . . . or the plaintiff may deposit \$500 with the clerk of the court." *Id.* "After the lapse of 30 days from the service of notice that security is

1 required, or of an order for new or additional security, upon proof thereof, and that no undertaking
 2 as required has been filed, the court or judge may order the action to be dismissed.” NRS
 3 18.130(4).

4 “It is the policy of the United States District Court for the District of Nevada to enforce
 5 the requirements of NRS 18.130 in diversity actions.” *Feagins v. Trump Organization*, 2012 WL
 6 925027 (D. Nev.)(citing *Hamar v. Hyatt Corp.*, 98 F.R.D. 305, 305-6 (D. Nev. 1983); *Arrambide*
 7 *v. St. Mary’s Hosp., Inc.*, 647 F.Supp. 1148, 1149 (D. Nev. 1986).)

8 Here, Nationstar, is not a citizen of Nevada, but rather is a Delaware limited liability
 9 company with its headquarters in Texas. Accordingly, SFR demands that the Bank post a \$500
 10 cost bond within 30 days and that the proceedings be stayed until such cost bond is posted.
 11 Should the Bank fail to comply with the requirements of NRS 18.130 within 30 days, SFR
 12 requests this action be dismissed.

13 DATED May 4, 2016.


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/s/ Diana Cline Ebron
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ORDER

IT IS SO ORDERED.

DATED this 5 day of May 2016.


 Lloyd D. George
 Sr. U.S. District Judge

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